

EXHIBIT 10

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA

3 --oOo--
4

5 JENNIE QUAN, individually and as
6 successor in interest to BENJAMIN
CHIN, deceased,

7 Plaintiffs,

8 vs. Case No. No. 2:24-cv-04805-MCS-KS

9 COUNTY OF LOS ANGELES;
10 MARISOL BARAJAS; HECTOR
VASQUEZ; and DOES 3-10, inclusive,

11 Defendants.
12 _____/

13
14 STENOGRAPHIC REPORTER'S TRANSCRIPT OF
15 REMOTE VIDEO DEPOSITION OF MARISOL BARAJAS
16 FRIDAY, SEPTEMBER 26, 2025
17
18
19
20
21

22 Reported Stenographically by:

23 KIMBERLY D'URSO, CSR 11372, RPR

24 Job No. 20346
25

1 A. The street, sir.

2 Q. And what street was he on when you first saw
3 him?

4 A. He was in the number one lane on Diamond Bar
5 Boulevard. So it's -- I'm facing southbound. He's
6 walking northbound on a southbound lane.

7 Q. So when you first saw him, he would have been
8 walking northbound?

9 A. Yes, on the southbound lane.

10 Q. And you would have been generally facing
11 southbound?

12 A. Yes, sir.

13 Q. How would you describe his gait? In other
14 words, was he running, jogging, walking fast, walking
15 slow? Any words you want to use.

16 A. Normal rate.

17 Q. How far was he from you when you first saw him?

18 A. Approximately 15 to 20 feet, sir.

19 Q. Could you estimate his age?

20 A. No.

21 Q. Could you estimate his height or weight?

22 A. Maybe 5'7, 5'8. And his weight, I couldn't
23 give you an actual estimate, since he had sweat pants
24 and he had the ballistic vest, which, I guess, added
25 size.

1 Q. Okay. And what was he wearing? Obviously, the
2 ballistic vest would be one thing. But do you recall
3 what else he had on?

4 A. He had the sweat pants, and then he had the
5 assault rifle.

6 Q. And where was the assault rifle in relation to
7 his body when you saw it?

8 A. On his person.

9 Q. Yes. Where was it on his person?

10 A. It was -- it was slung. And then it was like
11 --

12 Q. I'm sorry. What was the word that you used?

13 A. It has like -- it has like a slung [sic].

14 Q. Oh. It's slung, like on a sling?

15 A. Yes. Like a low ready.

16 Q. So was part of it slung over his shoulder or
17 neck area?

18 A. That I can't recall. I just know it was
19 across.

20 Q. And was it on one side of his body or the other
21 when you saw it?

22 A. I can't recall.

23 Q. And where were you when you first saw him?

24 A. I was just in my patrol car.

25 Q. Did you see him before you got out of your

1 patrol car?

2 A. Yes.

3 Q. And when you first saw him, was he 15 to 20
4 feet away, or some other distance?

5 A. No. As soon as I saw him, I exited my vehicle
6 sir.

7 Q. Okay.

8 A. It's not like I saw him and then I continued
9 going forward.

10 Q. So as soon as you saw him, you stopped your
11 vehicle and exited?

12 A. To my recollection, yes.

13 Q. And what street were you on immediately before
14 seeing him?

15 A. I was still on Diamond Bar Boulevard. It's a
16 long street.

17 Q. It's a long street?

18 A. Yes.

19 Q. I'm sure it is.

20 Were you driving southbound at some point, on
21 Diamond Bar Boulevard, and then you saw him and stopped
22 your car and got out?

23 A. Yes.

24 Q. Is there another street or intersection there,
25 if you know?

1 MR. HURRELL: You mean where she got out?

2 MR. GALIPO: Yeah.

3 BY MR. GALIPO:

4 Q. Is there a cross street there or a side street

5 --

6 A. No. It's, like, a long street.

7 Q. And where was your vehicle stopped in the
8 street? Can you explain that to me?

9 A. I can't recall if I was exactly in the number
10 two lane or I was in the middle of number one or number
11 two.

12 Q. How many lanes are there in that area, going in
13 each direction?

14 A. Going southbound and northbound, it's a
15 two-lane.

16 Q. Two lanes in each direction?

17 A. Yes, sir.

18 Q. And you're saying you just don't recall exactly
19 what lane you were in?

20 A. Yes, sir.

21 Q. When you use numbers, are you using the number
22 one lane as the lane closest to the center?

23 A. Yes, sir. Sorry.

24 Q. Okay.

25 A. And the number two would be the one that's

1 A. I can't recall, sir.

2 Q. When you listened to the audio recently, did
3 you hear yourself giving a verbal warning you were going
4 to shoot him?

5 A. I don't -- I don't think I heard that part,
6 sir.

7 Q. What type of weapon were you -- did you fire
8 from?

9 A. It's a Smith and Weston [sic] 9-millimeter.

10 Q. And when you fired your first shot, did you
11 have the gun in one hand or two?

12 A. Both hands, sir.

13 Q. Were you using your sights?

14 A. Yes, sir.

15 Q. And where were you aiming when you fired your
16 first shot?

17 A. Just upper mass, to the chest.

18 Q. Center mass? Like his chest, abdomen area?

19 A. Yes, sir. Because I know -- actually, I think
20 I aimed lower, since I did see the ballistic vest was a
21 little higher up. So waistline area.

22 Q. Okay. You were trying to aim below the bullet
23 proof vest?

24 A. Yes, sir.

25 Q. So maybe more towards the waistline?

1 A. Possibly, yes, sir. Because it's -- the vest
2 itself is just -- doesn't cover your whole chest. It's
3 like a partial, so even on mine, it doesn't cover my
4 whole abdomen.

5 Q. So somewhere between the waistline and maybe
6 the lower abdomen, it's unexposed, or it's not covered
7 by the vest, I should say?

8 A. Yes.

9 Q. And you think you were aiming for that area?

10 A. Yes.

11 Q. Because he had the vest on?

12 A. Yes, sir.

13 Q. And you're estimating he was approximately 15
14 feet from you when you fired that first shot?

15 A. Yes.

16 Q. Did you hear any shots being fired before you
17 fired your first shot?

18 A. No.

19 Q. Could you tell whether your first shot struck
20 him or not?

21 A. No, because he kept -- he kept going forward.
22 And I did not observe any, I guess, obvious injury.

23 Q. Okay. And did you fire any more shots or just
24 the first shot?

25 A. No, I did more, sir.

1 Q. How many other shots did you fire?

2 A. Approximately three or four.

3 Q. How much time would you estimate passed from
4 your first shot to your second shot?

5 A. I mean, for me, it felt like seconds.

6 Q. Can you give me an estimate as to how many?

7 A. Maybe 20 to 30.

8 Q. And how much time would you estimate passed
9 from your second shot to your third shot?

10 A. Maybe around the same range, about 30 seconds.

11 Q. And how much time from your third shot to your
12 fourth shot?

13 A. I can't recall if it was an actual fourth shot,
14 but if I had, probably about the same estimate, sir.

15 Q. And after you fired your first shot, but before
16 you fired your second shot, did you hear any other
17 shots?

18 A. No.

19 Q. At any time did you hear any other shots, other
20 than your shots?

21 A. Yes, sir.

22 Q. When did you hear other shots?

23 A. I can't give you an exact time. I just know
24 that I did hear another shot.

25 Q. How many other shots did you hear?

1 A. I can't recall, sir.

2 Q. Do you know if it was one or more than one?

3 A. I know it was more than one, but I can't
4 recall.

5 Q. Did it sound like they might be coming from
6 another firearm?

7 A. Yes, sir.

8 Q. Could you tell, generally, where the sound was
9 coming from?

10 A. It was just from my right side.

11 Q. Did you know if there was another deputy on
12 your right side?

13 A. Yes.

14 Q. And what was your understanding?

15 A. That there was another deputy on my right side.

16 Q. Do you now know who that deputy is?

17 A. Yes, sir.

18 Q. And who is that?

19 A. Detective Vasquez.

20 Q. And your understanding, now, is that Detective
21 Vasquez fired some shots?

22 A. Yes, sir.

23 Q. Do you have an understanding, now, as to what
24 type of weapon Detective Vasquez fired the shots from?

25 A. Yes; from a shotgun, sir.

1 Q. Where were you aiming when you fired your
2 additional shots? At the same location?

3 A. Yes, sir.

4 Q. That would be, in other words, slightly below
5 the ballistic vest, from where you could tell it was?

6 A. Yes, sir.

7 Q. Do you recall what color this ballistic vest
8 was?

9 A. No, sir.

10 Q. Could you telling if he had, like, any clothing
11 on underneath the vest?

12 A. I know he had clothing, but I can't recall the
13 type of clothing, sir.

14 Q. Did you see him react to any of the shots as if
15 maybe he had been struck?

16 A. Initially, no.

17 Q. When you say "initially," are you referring to
18 your first shot or your second shot or third shot? Or
19 what are you referring to?

20 A. I want to say it was between the third shot and
21 then the other -- the other shot that I did not shoot.

22 Q. Okay. When you say the "other shot" that you
23 did not shoot, you're referring to Deputy Vasquez's
24 shots?

25 A. Possibly. I'm not sure if he -- he reacted to

1 my shot or his shot.

2 Q. Okay. What reaction did you see?

3 A. Where the posture -- the posture changed.

4 Q. How did it change?

5 A. It wasn't upright.

6 Q. Can you explain to me what you observed? In
7 other words, did he bend backwards or forwards, however
8 you want to describe it?

9 A. Slightly forward.

10 Q. And were there any shots fired after he bent
11 forward?

12 A. I believe so.

13 Q. And how many shots do you recall hearing after
14 he bent forward?

15 A. I recall -- I know shot or shots, but I can't
16 recall if it was one or two, or if there was. I recall
17 shots.

18 Q. Okay. You recall shots after he was bent
19 forward? You're just not sure how many?

20 A. Because he still proceeded. It wasn't like he
21 bent over and then motion stopped. He still proceeded
22 to go forward in a walking motion.

23 Q. Okay. But am I understanding you correctly, at
24 some point his position changed from being upright to
25 being bent over to some extent?

1 A. Not to my current recollection; but I do know
2 Homicide did a round count.

3 Q. Okay. Do you remember there being 13 rounds
4 left?

5 A. Not currently, sir.

6 Q. So are you saying you think you fired four
7 shots total; or four or five shots; or you're not sure?

8 A. In -- I recall that was like the approximate
9 amount that I shot, but I don't know for a fact actually
10 how many I had shot.

11 Q. Okay. And what was the approximate amount
12 again? It sounds like you fired one shot, and then
13 later you fired some additional shots. Is that correct?

14 A. Yes, sir.

15 Q. And do you know how many additional shots --
16 how many additional shots do you think you fired after
17 the first shot?

18 A. I thought I did for between three and four,
19 sir.

20 Q. Three or four additional shots?

21 A. Or just three to four shots, sir.

22 Q. Total?

23 A. Yes, sir.

24 Q. Okay. Did you ever hear Mr. Quan saying
25 anything?

1 A. No, sir.

2 Q. Do you recall in your statement being asked if
3 you ever saw him manipulating the firearm?

4 A. I did not.

5 Q. Right. Do you recall saying in your statement
6 you did not ever see him manipulating the firearm? Do
7 you recall saying that?

8 A. I do not.

9 Q. Is that correct, though? I'm -- my question is
10 not good. Let me try it again.

11 MR. HURRELL: Yeah.

12 BY MR. GALIPO:

13 Q. Okay. Would you agree, in your statement, you
14 said you never saw him manipulating the firearm?

15 A. I -- yes.

16 Q. In fact, would you agree, you, yourself, never
17 saw him touching the firearm with either one of his
18 hands?

19 A. That, I can't recall.

20 Q. Do you recall indicating that the weapon was
21 slung in some manner on his right side?

22 A. Yes.

23 Q. And do you recall indicating that the barrel of
24 the weapon was pointing down?

25 A. Yes.

1 Q. Is that what you observed?

2 A. Yes.

3 Q. And was that the position of the gun when you
4 fired your first shot?

5 A. Yes, sir.

6 Q. And was that the position of the rifle when you
7 fired your additional shots?

8 A. Yes.

9 Q. And how close do you think he got to you as of
10 the time of your last shot?

11 A. Approximately, to me, maybe 12 feet. To the
12 pedestrian in their vehicle, maybe 5 or 6 feet.

13 Q. There was a white Tesla there.

14 A. Yes, sir.

15 Q. Did you ever see who was in that Tesla before
16 the shooting?

17 A. No, sir.

18 Q. Would you at least agree with me that you never
19 saw Mr. Quan pointing the rifle at anyone? Would you
20 agree with that?

21 A. No. Because even though I did not see him,
22 based on the radio traffic that I heard, it was apparent
23 to me that somebody was injured; and then there were
24 shots that were fired.

25 Q. Okay.

1 A. So I didn't observe him, at least for me.

2 Q. Okay. So let me just break this down. Would
3 you agree that you never saw him -- you, yourself, never
4 saw him pointing the firearm at anyone? Would you agree
5 with that?

6 A. Yes, sir.

7 Q. And would you also agree that you, yourself,
8 never saw him raising the firearm towards anybody?

9 A. Yes, sir.

10 Q. And would you at least agree that you,
11 yourself, never saw him holding the firearm with both
12 hands?

13 A. Yes, sir.

14 Q. And finally, would you agree that you,
15 yourself, never saw his hand on or near the trigger?

16 A. I don't think I would be able to see that,
17 based on the distance.

18 Q. Well, did you ever see that, is what I'm
19 asking?

20 A. Not that I can recall.

21 Q. Did you have any specific information as to the
22 extent of any injuries, before you got there, before you
23 saw Mr. Quan?

24 A. For the public?

25 Q. Yes. Did you have any specific information as

1 that was supplied was accurate, and sometimes it turns
2 out the information supplied was not accurate. Is that
3 fair?

4 A. I guess when you say that "it's not accurate,"
5 at least in my experience, I feel that it's still
6 accurate, but it's not to the -- it's -- it's different.
7 It's not like it's saying, hey, it's right and then it's
8 left. It's still right, but it's a different variation
9 of a right.

10 Q. Okay. Let me just ask you: For example, have
11 you had calls before where somebody they -- they thought
12 somebody had a gun, and they didn't -- it turned out
13 they didn't have a gun?

14 A. Well, we've never made -- well, at least I
15 haven't. We have had calls that it said person with a
16 gun, and we checked area and we're unable to locate. So
17 I can't say they did or they didn't.

18 Q. Have you ever had calls that said somebody was
19 injured, and it turned out they weren't actually
20 injured?

21 A. No.

22 Q. How did Mr. Quan go to the ground, if you
23 recall?

24 A. How, I just -- in a slow manner.

25 Q. In other words, did he fall face down forward,

1 to the side, backwards, if you recall?

2 A. Possibly to the side.

3 Q. Do you recall how he ended up on the ground?

4 A. He -- he, himself, went to the ground?

5 Q. Right. I just -- do you remember if he ended
6 up on his back or in some other position?

7 A. I just recall he was on his side.

8 Q. Do you feel at some point during this event you
9 started to panic?

10 A. Well, yes.

11 Q. When do you feel you started to panic?

12 A. When I heard the priority call.

13 Q. So even before you saw Mr. Quan, you felt you
14 started to panic?

15 A. I don't want to say "panic"; but I was worried,
16 yeah.

17 Q. I think in your statement, several times you
18 used the word "panic." Do you recall that?

19 A. No.

20 Q. You don't recall, when you reviewed your
21 statement recently, you indicated that you started to
22 panic?

23 A. I don't recall reading that statement, sir.

24 MR. HURRELL: No. He's talking about the
25 Homicide statement that you reviewed.

1 THE WITNESS: Oh.

2 MR. HURRELL: Your statement that you reviewed
3 the other day.

4 BY MR. GALIPO:

5 Q. I'm talking about --

6 A. No.

7 Q. Just so the record's clear, I thought you said
8 you had reviewed the transcript of your statement?

9 A. I did, sir.

10 Q. Okay. So I was asking about that statement,
11 just so we're clear.

12 A. Okay.

13 Q. Do you recall indicating in the statement that,
14 at certain points in times, you started to panic?

15 A. Yes, sir.

16 Q. And I guess what I was wondering is, when do
17 you think you started to panic, is what I was asking?

18 A. When I heard the updated information.

19 Q. Do you feel like you had additional panic once
20 you saw Mr. Quan?

21 A. Yes.

22 Q. Okay.

23 MR. GALIPO: I think we've been going about an
24 hour, and we're making good progress. Is this a good
25 time for a ten-minute break for everyone?

1 THE WITNESS: Yes, sir.

2 BY MR. GALIPO:

3 Q. And what did you mean by that, that it's
4 slinged over?

5 A. That it was on a sling.

6 Q. And what's the over part? Like over his
7 shoulder or over his neck?

8 A. Upper body.

9 Q. Okay. Do you recall saying that you started to
10 panic as he was walking towards you?

11 A. Yes.

12 Q. Do you recall saying in your statement that you
13 believe after your first shot you fired three additional
14 rounds?

15 A. Yes.

16 Q. Do you recall saying that when you heard that
17 there was a stabbing victim and shots had been fired,
18 you became extremely nervous and started to panic?

19 A. Yes.

20 Q. And I think you've already told me this before;
21 but you recall saying in your statement that he never
22 manipulated the firearm; is that correct?

23 A. Yes.

24 Q. And you were also asked if he ever raised the
25 firearm at any time, and you said no. Do you recall

1 that in your statement as well?

2 A. Yes, not towards -- not towards -- at least not
3 within my view.

4 Q. Yeah. Do you recall being asked if he ever
5 raised the rifle at any time, and you said no?

6 A. Well, towards my -- my point of view, no.

7 Q. So from your point of view, did you see him
8 raise the rifle at any time?

9 A. No.

10 Q. Do you recall also saying that you didn't
11 believe he reacted to your first shot?

12 A. Yes.

13 Q. And that after he didn't react to your first
14 shot, that's when you panicked even more? Do you recall
15 saying that?

16 A. Yes.

17 Q. I have a few still photos I want to show you,
18 and I'm going to start with Exhibit 1. We're going to
19 try to put it on the screen and see if we can look at it
20 together.

21 (Exhibit Number 1 was marked.)

22 MR. GALIPO: Can we enlarge that at all, Ms.
23 Le? Thank you.

24 BY MR. GALIPO:

25 Q. Are you able to see that on your screen?

1 MR. GALIPO: Please stop it. Let's just go
2 back a little bit. Okay. Play from there. And I'm
3 going to have you stop it at some point.

4 (Video being played.)

5 MR. GALIPO: Let's stop.

6 BY MR. GALIPO:

7 Q. So that first shot, did you hear the first
8 shot?

9 A. Yes.

10 Q. Would -- as far as you know, that would have
11 been your shot?

12 A. Yes.

13 Q. Okay.

14 MR. GALIPO: And we stopped it at 5:22 and
15 11:45:06.

16 Please go briefly forward, and I'll let you
17 know when to stop it again.

18 (Video being played.)

19 MR. GALIPO: Stop.

20 BY MR. GALIPO:

21 Q. Okay. You see him -- we stopped it at 5:30.
22 You see him, Mr. Quan, bent forward at this point?

23 A. Yes, sir.

24 Q. Do you recall him being in that position before
25 he went to the ground?

1 BY MR. GALIPO:

2 Q. Could you tell if there were any shots fired
3 after your last shot?

4 A. Yes, sir.

5 Q. It sounded like there was one?

6 A. Yes.

7 Q. And did that come from your right side?

8 A. Yes, sir.

9 Q. Okay.

10 MR. GALIPO: Thank you for that, Ms. Le.

11 Q. Okay. I think I'm just about done, Tom. I'll
12 take five minutes and look at my notes, and we'll come
13 back and we'll get it wrapped up.

14 MR. HURRELL: Great.

15 MR. GALIPO: Thank you, all.

16 THE VIDEOGRAPHER: We're off the record at
17 11:41 a.m.

18 (Break taken.)

19 THE VIDEOGRAPHER: We're back on the record at
20 11:46 a.m.

21 BY MR. GALIPO:

22 Q. To your knowledge, had you ever seen Mr. Quan
23 before that day?

24 A. No.

25 Q. Did you have any knowledge or information about

1 his background?

2 A. No.

3 Q. At some point, did it appear to you that he had
4 like a blank stare on his face?

5 A. No.

6 Q. Do you recall saying that, ever, in your
7 statement, that he had a blank stare?

8 A. Yes.

9 Q. Also, in your statement, do you recall saying
10 that he never touched the gun, but it was within his
11 reach?

12 A. Yes.

13 Q. And is that your recollection?

14 A. Yes.

15 Q. I've been using "Mr. Quan." I think,
16 technically, the decedent's name is Mr. Chin. So I
17 apologize for that. When I was saying "Quan," were you
18 understanding I was referring to the decedent?

19 A. Yes.

20 Q. Okay. In terms of your training on deadly
21 force, were you trained that, to use deadly force, the
22 person needs to have the ability, opportunity, and
23 apparent intent to immediately cause death or serious
24 bodily injury?

25 A. Yes.

1
2 STATE OF CALIFORNIA)
3) ss:
4 COUNTY OF BUTTE)

5 I, KIMBERLY E. D'URSO, do hereby certify:

6 That the witness named in the foregoing
7 deposition was present remotely and duly sworn to testify
8 to the truth in the within-entitled action on the day and
9 date and at the time and place therein specified;

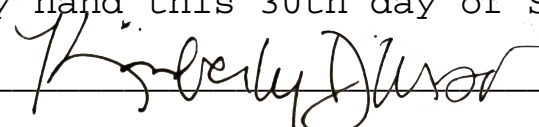
10 That the testimony of said witness was reported
11 by me in shorthand and was thereafter transcribed through
12 computer-aided transcription;

13 That the foregoing constitutes a full, true and
14 correct transcript of said deposition and of the
15 proceedings which took place;

16 Further, that if the foregoing pertains to the
17 original transcript of a deposition in a federal case,
18 before completion of the proceedings, review of the
19 transcript [] was [] was not requested.

20 That I am a certified stenographic reporter and
21 a disinterested person to the said action;

22 IN WITNESS WHEREOF, I have hereunder subscribed
23 my hand this 30th day of September, 2025.

24 
25 KIMBERLY D'URSO, CSR NO. 11372, RPR